

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

M.A., an individual,	:	Case No.: 2:19-cv-00849
	:	
Plaintiff,	:	Judge Algenon L. Marbley
	:	Magistrate Judge Elizabeth Preston
--vs.--	:	Deavers
	:	
WYNDHAM HOTELS AND RESORTS,	:	
INC., et al.,	:	
	:	
Defendants.	:	

**PLAINTIFF’S MOTION TO DROP DEFENDANTS
FIRST HOTEL MANAGEMENT, LLC AND BRICE HOTEL, INC.**

Per Federal Rule of Civil Procedure 21, Plaintiff M.A. hereby moves to drop Defendant First Hotel Management, LLC and Defendant Brice Hotel, Inc. from this matter without prejudice. Plaintiff preserves her right to reinstate this matter as set forth below.

First Hotel Management, LLC and Brice Hotel, Inc. have supplied information suggesting that neither Defendant had responsibility for the management of the Days Inn by Wyndham located at 2100 Brice Road, Reynoldsburg, Ohio 43068 at the time that Plaintiff M.A. was trafficked there.

This dismissal is without prejudice, with Plaintiff reserving the right to reinstate her claims should additional discovery and investigation reveal the facts are other than have been presented. By agreement of counsel, First Hotel Management, LLC and Brice Hotel, Inc. have agreed to cooperate with any reasonable requests for production of witnesses and/or evidence under their control, without requiring a subpoena, so long as the request meets the scope of discovery test set out in FRCP 26.

No other claims have been asserted by or against First Hotel Management, LLC or Brice Hotel, Inc. Fed. R. Civ. P. 21 provides that “[o]n motion or on its own, the court may at any time, on

just terms, add or drop a party.” Plaintiff hereby moves to drop First Hotel Management, LLC and Brice Hotel, Inc. without prejudice. A proposed entry is provided for the Court’s convenience.

Respectfully submitted,

/s/ Kathryn L. Avila

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing Motion was uploaded for electronic filing through the Court's Electronic Case Filing System (CM/ECF), and Notice will thus be sent to all registered parties, per Civil Rule 5(b)(2)(E), on this 6th day of December, 2022.

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